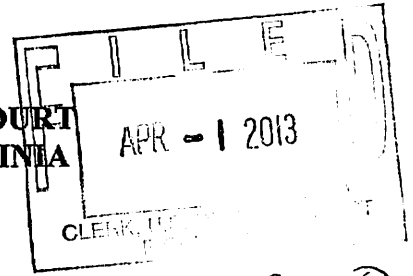


**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION**



TERRY BOCLAIR AND  
DORTHEA BOCLAIR,

Plaintiffs,

v.

GENPACT SERVICES, LLC.,

Defendant.

Case No.:

PLAINTIFFS' VERIFIED  
COMPLAINT

**COMPLAINT**

TERRY BOCLAIR AND DORTHEA BOCLAIR ("Plaintiffs"), through attorneys, KROHN & MOSS, LTD., allege the following against GENPACT SERVICES, LLC. ("Defendant"):

**INTRODUCTION**

1. Plaintiffs' Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. 1692 et seq. (FDCPA).

2. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

**JURISDICTION AND VENUE**

3. Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy."

4. Defendant conducts business in the State of Virginia, and therefore, personal jurisdiction is established.

5. Venue is proper pursuant to 28 U.S.C. 1391(b)(2).

## **PARTIES**

6. Plaintiffs each are natural persons residing in Virginia Beach, Virginia.
7. Plaintiffs each are consumers as that term is defined by 15 U.S.C. 1692a(3), and according to Defendant, Plaintiffs allegedly owe a debt as that term is defined by 15 U.S.C. 1692a(5).
8. Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6), and sought to collect a consumer debt from Plaintiffs.
9. Defendant is a debt collection company located in New York, New York.
10. Defendant, in the ordinary course of business, regularly, on behalf of itself or others, engages in debt collection.

## **FACTUAL ALLEGATIONS**

11. In or around November of 2012, Defendant placed a collection call to Plaintiffs seeking and demanding payment for an alleged consumer debt, with internal file number 12144832. *See* transcribed voicemail message attached hereto as Exhibit A.
12. Plaintiffs' alleged debt owed arises from transactions for personal, family, and household purposes.
13. Defendant called Plaintiffs' telephone number at 757-615-97XX.
14. On November 5, 2012, Defendant called Plaintiffs and left a voicemail message on Plaintiffs' answering machine. *See* Exhibit A.
15. In the voicemail message, Defendant's representative, "Calvin" failed to meaningfully disclose the nature of the call or state that the call was from a debt collector. *See* Exhibit A.

16. In the voicemail message, Defendant's representative, "Calvin", directed Plaintiffs to call him back at 1-866-544-0753, which is a number that belongs to Defendant. *See* Exhibit A.

17. Defendant is using false, deceptive and misleading means in connection with attempting to collect a debt by not identifying the purpose of its phone calls or that they are an attempt to collect a debt.

**COUNT I**  
**DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

18. Defendant violated the FDCPA based on the following:

- a. Defendant violated §1692e of the FDCPA by using false, deceptive or misleading representation with the collection of the debt.
- b. Defendant violated §1692e(10) of the FDCPA by using deceptive means in an attempt to collect a debt.
- c. Defendant violated §1692e(11) of the FDCPA by failing to disclose that the call was from a debt collector.

WHEREFORE, Plaintiffs, TERRY BOCLAIR AND DORTHEA BOCLAIR, respectfully request judgment be entered against Defendant, GENPACT SERVICES, LLC., for the following:

19. Statutory damages pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k,

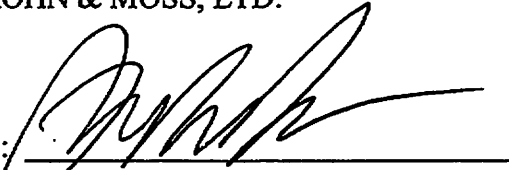
20. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k

21. Any other relief that this Honorable Court deems appropriate.

RESPECTFULLY SUBMITTED,

DATED:

KROHN & MOSS, LTD.

By:   
Richard W. Ferris  
VSB# 31812  
Ferris Winder, PLLC  
530 East Main Street, Suite 710  
Richmond VA 23219